

BEIJING REVIEW

- Explanation on Seven Laws
- Lively Political Atmosphere
At N.P.C.



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COVER: (Right) The Supreme People's Court of China. (Left) The Beijing Municipal Higher People's Court.

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CHRONICLE

July 2

• Comrade Hua Guofeng met with the Study Group of the League of Communists of Yugoslavia headed by Svetozar Durutovic, Executive Secretary of the Presidency of the League's Central Committee.

July 4

• *Renmin Ribao* republished the text of the 1950 speech made by the late veteran revolutionary Comrade Zhu De on strengthening Party discipline. In its editor's note, the paper urged all Communists, especially leading cadres, to study this speech carefully, enhance their Party spirit and abide by Party rules and regulations.

July 5

• At the U.N. meeting of the Littoral and Hinterland States of the Indian Ocean, Chinese representative Wu Zhen demanded that Viet Nam immediately stop creating and exporting refugees. He said that this was directly related to the goal of making the Indian Ocean a zone of peace and assuring peace and stability in Southeast Asia.

• Lai Yali, Head of the Chinese Delegation, earlier exposed in his speech the two superpowers' rivalry in the Indian Ocean and reiterated that China had always firmly supported the countries of the Indian Ocean region in their struggle to safeguard national independence and preserve state sovereignty and security.

July 7

• An agreement on trade relations between China and the United States was signed in Beijing by the representatives of the two countries. In a little over half a year since the establishment of diplomatic relations between China and the United States, 13 agreements and protocols including the trade agreement have been signed.

July 8

• Vice-Premier Li Xiannian and Mrs. Imelda Marcos, wife of the President of the Philippines, held talks and signed four documents related to friendly co-operation between the two Governments. They are: a long-term trade agreement will be valid for seven years (during this period the total volume of two-way trade will amount to 2,000 million U.S. dollars); a cultural agreement; a civil air transport agreement (a direct air service will be set up between Beijing and Manila); and a memorandum of understanding on co-operative construction of tourist hotels. During Imelda Marcos' stay in China, Premier Hua Guofeng and Vice-Premier Deng Xiaoping had sincere and friendly conversations with her separately.



Discussion on Criterion For Testing Truth

What is the criterion for testing the truth? This seems to be an abstract theoretical question. But in China today, it is a major issue of immediate significance related to all fields of work. The discussion which started last year in the press is continuing and developing in breadth and depth.

Taking advantage of the people's profound sentiments for Chairman Mao, Lin Biao and the gang of four created "modern superstition" by idolizing the revolutionary leader. They tore apart Mao Zedong Thought — a comprehensive and scientific system of ideology — into disconnected dogmas, tampered with it and distorted it for their own purposes, proclaiming that "every sentence is the truth," hoodwinking and coercing people to apply it mechanically without any regard for the actual conditions. This has done great damage to all fields of work in China.

In May last year *Guangming Ribao* in Beijing published an article entitled "Practice Is the Sole Criterion for Testing the Truth" written by a teacher in the philosophy department of Nanjing University. It attracted the nation's attention and gave rise to a lively discussion. The article pointed out that only what has been proved in practice to be beneficial to the people and the socialist cause is the truth which we should uphold. This is in fact a basic principle of Marxism, and Chairman Mao himself expounded this in some of his important works. In his *On*

Practice (1937), for instance, he explicitly said: "Only social practice can be the criterion of truth."

The ensuing discussion has emancipated the minds of the people and helped them get rid of the superstitious beliefs created by Lin Biao and the gang of four. They no longer regard Marxism-Leninism-Mao Zedong Thought as rigid dogmas but as a weapon for analysing and solving practical problems. This has produced and will continue to produce beneficial and deep influence on China's socialist modernization.

To completely shatter the fetters imposed on people's minds by Lin Biao and the gang of four, however, efforts still have to be made. That is why the people of the whole country are continuing the discussion so as to gain a thorough understanding of the question involved. An example is the study class organized for leading cadres of the P.L.A. Shenyang Units at or above the divisional level and the units' propaganda and theoretical workers.

After a month's study, they have come to a better understanding of the following three questions:

- The erroneous view that "class struggle is everything" must be criticized and a correct appraisal must be made of the actual situation concerning class struggle in our socialist society.

Some comrades originally did not understand the need to rehabilitate victims of frame-ups resulting from the pernicious influence of the line pushed by Lin Biao and the gang of

four. Other comrades had misgivings that changing the status of those landlords and rich peasants who have long engaged in labour and abided by the law would mean abolishing class struggle altogether.

After studying Marxist teachings on classes and class struggle and analysing the situation in present-day China, they agreed that in the last 30 years since the founding of the People's Republic, tremendous changes have taken place among the landlords and rich peasants who have over the years undergone reform through labour. They were unanimous that the Party Central Committee's decision to change the status of those landlords and rich peasants who have long engaged in labour and abided by the law correctly reflects the actual state of class struggle in China today.

While discussing the rehabilitation of victims of frame-ups, they made a comprehensive analysis of many cases, and realized the danger of the ultra-Left concept that "class struggle is everything." As a result of the ultra-Left line pushed by Lin Biao and the gang of four, the scope of class struggle was enlarged and a vast number of good comrades were unwarrantedly involved. The lesson is: it is essential to assess class struggle in the period of socialism in a matter-of-fact way, that is to say, we must neither underestimate class struggle nor exaggerate its seriousness.

- Correctly grasp the Party's economic policy and criticize absolute equalitarianism.

Some comrades do not have a clear understanding of the principle "to each according to his work" and the bonus system. This is because it was once criticized as a capitalist principle by advocates of the ultra-Left line who blabbed that "to be well-off means turning revisionist." Such outcry misled a number of people. But facts over the years have proved that to practise absolute equalitarianism will only dampen the people's enthusiasm for socialism and lead to phoney socialism of universal poverty. Only by criticizing such sham Marxist concepts can we conscientiously carry out the Party's policies, uphold scientific socialism and make China prosperous and powerful.

- Get out of the rut of conforming to stereotyped views and correctly understand the present lively political situation.

When Lin Biao and the gang of four practised despotism, anyone holding a slightly different view was branded a heretic. As a result, stereotyped views and ideas dominated. Today, the situation has changed. Comrades now boldly air their views in the press and explain their own ideas in the light of new conditions; sometimes different views are published simultaneously in the press for the benefit of the readers. This reflects the flourishing situation resulting from implementation of Chairman Mao's policy of "letting a hundred flowers blossom and a hundred schools of thought contend." Some comrades, however, are not accustomed to this, thinking that things have been "messed up." These are of course hangovers of the evil influence of Lin Biao and the

gang of four which must be eliminated so as to have a correct understanding of the lively political situation prevailing in China today.

Collective Ownership: Bright Prospects

News stories and commentaries published recently in the Chinese press stress that at the present stage there are bright prospects for the collectively owned enterprises in China.

State enterprises owned by the whole people are the backbone of the nation's industry and enterprises collectively owned by the labouring people constitute an important force that cannot be overlooked. According to statistics towards the end of 1978, there were 20.48 million people working in collectively owned units in the cities and towns throughout the country, and the number of people working in units owned by the whole people was 74.51 million.

Enterprises under collective ownership are a component part of the socialist economy under public ownership with the following characteristics: (1) Most of them are small or medium-sized enterprises. Built with little investment, they have gone into production at a relatively fast speed and have yielded quick results. (2) Based on the system of independent accounting, they are responsible for their own profits and losses. Since poor or good management directly affects their own interest, the people working there have rid themselves of the "iron rice bowl" mentality which is harmful to raising ef-

ficiency. ("Rice bowl" is in Chinese the synonym for "job" and "wages," and an "iron rice bowl" means a secure job and guaranteed income, irrespective of one's efficiency and attitude towards work.) (3) They have the advantage of being flexible in production, and readjustments can be easily made to meet market needs.

But, as often as not, people tend to overlook the importance of these enterprises which are not guaranteed a constant and regular supply of raw and other materials and fuel. There are even some irrational stipulations against them. For instance, wages for workers in these enterprises must be lower than those in the state enterprises and there should be less fringe benefits, including things issued for labour protection.

The reason for all this is that some people think that state enterprises are socialist in nature whereas collectively owned ones are semi-socialist, that it is an honour for a collective enterprise to be turned into a state enterprise while the other way round is a backslide. Some of the commentaries in the newspapers have pointed out that such ideas are wrong and that both ownership systems are socialist in nature, each having its own advantages. In the past some people wilfully turned collective enterprises into state enterprises without considering whether or not the objective economic conditions were ripe for it. The result was a backslide and a drop in production instead of an upswing.

This is why many people think that it is their duty to "restore the good name" of the collectively owned enterprises.

To achieve this, some leading cadres and also some workers must change their attitude of not attaching enough importance to the collectively owned enterprises. In addition, workers in these enterprises should get higher wages and more fringe benefits if they do better in production than workers in the state enterprises.

An article in *Guangming Ribao* in Beijing commented: "Throughout the historical period of transition to communism, the question of which form of socialist ownership is better, or the question of long-term coexistence between ownership by the whole people, ownership by the collective and other forms of public ownership, remains a question to be solved through continued practice in the international communist movement. Judging by the present conditions in our country, it is not advisable to talk imprudently about transition. Collective ownership and ownership by the whole people should be allowed to support, learn from and emulate each other and exist side by side for a long time to come."

More Income for the Peasants

Total income for China's rural people's communes, production brigades and the peasants in 1979 will increase by 13,000 million yuan. This estimate was given by Premier Hua Guofeng in his Report on the Work of the Government at the Second Session of the Fifth National People's Congress.

Such a big increase in the peasants' income in a year is unprecedented in China's his-

tory. Factors contributing to this achievement include: rapid development of farm production, a hike by the government in the purchasing prices of farm and side-line products, and reduction or exemption of agricultural tax in some areas.

Statistics released recently show that, not counting their income from household side-line occupations and from the small plots set aside for their personal use, the average income for each peasant last year rose by 13 per cent over that of 1977. This was the biggest annual increase since 1966. Ration per capita upped by 9 per cent and grain purchased by the state, the amount put aside as collective reserve and public accumulation funds also increased compared with 1977.

With the exception of two provinces which were seriously hit by natural calamities, income for the peasants in the various provinces, municipalities and autonomous regions (not including Taiwan Province) went up last year. The increase

in the average income for the rural population in major agricultural provinces like Shandong, Hebei, Jilin, Heilongjiang, Hunan, Jiangsu and Zhejiang ranged from 16.7 to 42.8 per cent, and on the outskirts of Beijing, Tianjin and Shanghai it was 27.1, 24.4 and 39 per cent respectively.

A direct reason for this increase was the rich harvest last year. According to recent verified figures from the various provinces, municipalities and autonomous regions, the country's total 1978 grain output topped 300 million tons. Output of cotton, edible oil and sugar-bearing crops also showed an increase over the previous year, while forestry, animal husbandry, side-line occupations and fishery had made big headway too.

With the rise in their income, the purchasing power of the peasants has increased remarkably. Total sales of consumer goods in the rural areas from January to May this year rose by 11.9 per cent over the same



In a store on the outskirts of Beijing.

period of last year, a fairly big increase in recent years. Sales of 17 kinds of manufactured goods upped by more than 10 per cent and 45.3 per cent more sugar were sold. Supply of bicycles, sewing machines and transistor radios can hardly keep pace with the demand, and TV sets also sell briskly in some rural areas.

More savings have been deposited in the bank. According to the Agricultural Bank of China, the total amount of the peasants' private savings deposits in the January-May period was 22.5 per cent more than that of the same period last year, a new high in many years.

Rich "Black Gold" Deposits

China produced more than 600 million tons of coal last year, but the coal industry is still a weak link in our national economy. Specialists across the country are suggesting ways and means to boost coal output, one of which is to build Shanxi Province into a "land of coal and electricity."

Geological prospecting shows that China has rich coal deposits, mostly in north China, and particularly in Shanxi Province which accounts for 33 per cent of the nation's total. It is estimated that 58,000 of Shanxi's total area of 156,000 square kilometres contain coal. There is, in addition, a great variety of quality coal which can be mined easily since the seams are thick and close to the surface. Facts have already proved that developing the coal industry in Shanxi requires only a small amount of investment and manpower, but yields high and quick results.

To speed up coal mining, comrades in charge of the work in Shanxi have proposed the following:

— In developing the coal industry, the state should give Shanxi top priority, make adequate investments and provide it with enough surveyors, designers and miners.

— An overall plan should be worked out so that power plants and railways will be built along with the opening of coal mines. At present, lack of transportation facilities often results in the stockpiling of as much as 2 million tons of coal in Shanxi. This problem will become more and more acute with the increase in coal output. Therefore new railways should be built and old ones renovated, and at the same time more coal-processing factories should be set up in the province itself instead of shipping the coal to other provinces. The best solution is to build power stations near the coal pits so that electricity, instead of coal, will be transmitted to other provinces.

— The problem of water scarcity should be solved. At present water is already in short supply for the farms. The contradiction will become sharper if more water is diverted for industrial use. Since the Huanghe River is on the western provincial border, suggestions have been made to divert the waters of the river to Shanxi.

China's Biggest Chemical Fibre Plant

The Shanghai Petrochemical Works, the biggest of its kind in China, went into full opera-

tion on June 25. It is designed with an annual capacity of 102,000 tons of synthetic fibres and 60,000 tons of high-pressure polyethylene resin; in addition, it produces various kinds of oil products and chemicals.

The works has 18 sets of production equipment, 9 of which were imported from Japan and West Germany. The other 9 sets and the corresponding public utility and ancillary facilities are all Chinese made. The computer-controlled ethylene-producing equipment from Japan is of the most advanced kind used in the textile industry today, and the aldehyde-producing apparatus from West Germany is China's first set of equipment for oxidizing ethylene into acetic aldehyde.

Since the first set of installation in this petrochemical works was put into operation in July 1976, more than 100,000 tons of polyester fibre, polyvinyl alcohol fibre and polyacrylic fibre were produced. This is equivalent to the output of 150,000 hectares of cotton fields.

Design and construction of the project and the products turned out are all up to standard. All the nine sets of imported equipment have been put into full operation, and major technical indices have reached or in some cases surpassed designed requirements.

The Shanghai Petrochemical Works has adhered to the principle of combining the import of complete sets of foreign equipment with relying on our own efforts. It has since the outset desisted from importing whatever equipment that can be made in China. There is no



The Shanghai Petrochemical Works.

denying that a gap exists between Chinese and foreign equipment in performance, but if efforts are made, this gap can be gradually bridged. Examples in this regard are the polyacrylic fibre factory and the polyvinyl alcohol fibre factory equipped with Chinese-made machines.

Located on the Bay of Hangzhou some 70 kilometres southwest of Shanghai, the Shanghai Petrochemical Works is divided into three parts: the production zone, the living quarters section and an oil wharf.

Work on the whole project started in June 1972. Surveying of the construction site and the designing and building of the factories were all done by Chinese technicians, engineers and construction departments.

Dual Task of Secondary Education

Secondary schools should train both qualified students for

institutes of higher learning and good labourers for society.

This statement was made by Jiang Nanxiang, Minister of Education, at a meeting held recently. The minister had in mind the wrong tendency in some secondary schools of focusing attention only on those students who will continue their studies in colleges and universities and not giving enough help to the other students so that they will have a good grasp of basic scientific and cultural knowledge and skill after graduation.

Jiang Nanxiang pointed out that the number of primary and secondary school students in China today is about 210 million, and their scientific and cultural level affects to a great extent the level of the nation as a whole.

Since the smashing of the gang of four, the enthusiasm of the young people for study has soared and a lively atmosphere has emerged in the schools. But there has arisen the tendency of only seeking a higher percent-

age of enrolment in institutes of higher learning, which has become the yardstick among a large section of people for judging whether a school is good or bad.

To judge the standard of a secondary school, the minister stressed, we must not only take into consideration the percentage of its graduates being enrolled in colleges and universities but, more important, the general level of the majority of its students and how well they will work after graduation.

This is an important point which must be fully affirmed. Having suffered serious damage at the hands of Lin Biao and the gang of four, higher education cannot develop quickly in China today owing to the lack of teachers and numerous material difficulties. Institutes of higher learning in various parts of the country plan this year to enrol 270,000 to 300,000 students, or 4 per cent of the total number of secondary school graduates. That means 96 per cent of the students will not be able to study in colleges and universities. This situation will remain unchanged for some years.

Since the majority of secondary school graduates will constitute a huge labour force, their education should not be ignored. They should be helped to develop morally, intellectually and physically and become workers with both socialist consciousness and culture.



Explanation on Seven Laws

— by Peng Zhen, Director of Commission for Legal Affairs of N.P.C. Standing Committee, at Second Session of Fifth N.P.C. on June 26, 1979

Fellow Deputies,

Since the beginning of 1979, we have shifted the focus of the work of the whole nation to socialist modernization. In line with this historic change, we must conscientiously strengthen socialist democracy and the socialist legal system. Without a sound socialist legal system, a sound socialist democracy can hardly be realized. Comrade Hua Guofeng points out in his Report on the Work of the Government: ". . . Our country has a long feudal tradition and is relatively backward economically and culturally. . ." Moreover, the pernicious influence of the gang of four has not yet been completely eliminated. In these circumstances, autocracy, bureaucracy, love of privileges, the patriarchal style of work, and petty-bourgeois individualism, liberalism and anarchism are apt to spread. Even now in some localities and units, the enthusiasm and initiative of the people are still held in check and their right of person and democratic and other rights are not always secure. All this shows that in order to give full play to socialist democracy, it is imperative to gradually perfect the socialist legal system so that in whatever they do the 900 million people will have rules and regulations to go by and bad characters and bad acts will be restrained and punished. Therefore, "people are craving for law," and the people of the whole country are eagerly demanding a sound legal system. As Comrade Ye Jianying states in his opening speech, "The people want to strengthen and improve China's socialist legal system. An improved legal system can effectively guarantee the people's democratic rights provided for by the Constitution and constantly develop stability and unity and a lively and vigorous political situation in the interest of socialist construction."

The seven draft laws submitted to the current session for examination have been worked out by the Commission for Legal Affairs of the N.P.C. Standing Committee after consultation with the departments concerned. The original drafts of most of the laws were prepared after long deliberation. The various organic laws and the electoral law were drafted, revised and presented respectively by comrades of the Supreme People's Court, the Supreme People's Procuratorate, the General Office of the N.P.C. Standing Committee and the Ministry of Civil Affairs after much investigation and study and the summing up of past experience. There were more than thirty drafts of a criminal law before the Cultural Revolution. The twenty-second draft made in 1957 was put before the Fourth Session of the First National People's Congress to solicit opinions from deputies, and then entrusted to the N.P.C. Standing Committee for examination and revision. The thirty-third draft of 1963 was examined as regarding principles by members of the Standing Committee of the Political Bureau of the Central Committee of the Communist Party of China and Comrade Mao Zedong. The present draft is based on the thirty-third draft with additions and amendments made by the Commission for Legal Affairs and other departments concerned in the light of the experience of the past dozen years and of the new developments and new problems. The draft Law of Criminal Procedure is also a revised version based on various drafts worked out before the Cultural Revolution. The Law on Joint Ventures with Chinese and Foreign Investment (Draft) has been drawn up after deliberations conducted under the guidance of comrades from the State Planning Commission given charge of this work and comrades from other departments concerned. In

all these drafts, there will inevitably be points which, in one way or another, are not carefully thought out, so fellow deputies are kindly requested to deliberate on them and suggest amendments.

Now I shall make some remarks on the main points of the seven draft laws submitted to the session.

I. The Organic Law of the Local People's Congresses and the Local People's Governments and the Electoral Law for the National People's Congress and the Local People's Congresses

In these two drafts some important changes have been made in the organization of the local organs of state power and the electoral system, changes which are intended to expand people's democracy, strengthen and perfect our socialist legal system and ensure and facilitate the management of state affairs by the 900 million people while at the same time, bringing into fuller play the initiative of the local authorities so as to meet the needs of the shift of the nation's effort to socialist modernization and the needs of the reform of our economic system. They are as follows:

(1) Standing committees are to be established for people's congresses at and above the county level, composed of a chairman, vice-chairmen and a number of other members. Local revolutionary committees are to be replaced by local people's governments and the posts of provincial governors, mayors, chairmen of the autonomous regions, prefects of the autonomous prefectures and county heads restored accordingly. Local people's congresses and their standing committees are local organs of state power and local people's governments are local organs of administration. Members of the local people's governments are to be elected and can be recalled or are to be appointed and can be removed by the local people's congresses or their standing committees. Local people's governments are responsible and accountable to the people's congresses at the corresponding levels and to their standing committees. As a result of these changes, in localities at or above the county level the people's control and supervision over the local people's governments at the various levels through their deputies and the people's congresses and their standing committees will be substantially strengthened and the exercise of their right to manage state affairs greatly facilitated.

(2) In accordance with the principle of giving greater powers to the localities and bringing into play the initiative of both the central and the local authorities as repeatedly stressed by the Central Committee of the Chinese Communist Party and Comrade Mao Zedong and in the light of China's actual conditions and long years of experience in political, economic and cultural reforms and construction, the present draft of the organic law stipulates that the people's congresses and their standing committees of provinces, autonomous regions and municipalities directly under the Central Government may draw up and promulgate local statutes in accordance with the specific conditions and needs of their respective administrative areas, provided that these statutes do not contradict the Constitution, laws, policies, decrees or administrative orders of the state.

(3) Ensuring free exercise of the people's right to elect and recall their deputies is an important guarantee of the people's management of state affairs as masters of the country, and an essential prerequisite for practising democratic centralism. The present draft of the electoral law provides: (a) A fully democratic procedure for the nomination of candidates, by which the lists of candidates are produced after repeated discussions from the bottom up and from top down, with nominations being made by the Chinese Communist Party, the various democratic parties, people's organizations, or any elector or deputy (when seconded by no less than three others). The final list of candidates shall be decided on after repeated deliberation and discussion and democratic consultation among the electors or their deputies taking part in the election, and where necessary, by a preliminary vote. (b) The change of the method of nominating as many candidates as the number of deputies to be elected to that of nominating more candidates than the number of deputies to be elected.

(4) The direct election of deputies to people's congresses is extended to the county level. Since the people in a given county are more familiar with the state organs and state personnel of that county, direct election is not only a sure guarantee of democratic election but is also beneficial to the people's effective supervision over state organs at the county level and their personnel.

(5) It is stipulated that deputies to the various local people's congresses have the right and duty to bring the people's opinions and demands to the attention of the respective peo-

Amendments to the Constitution

THE Second Session of the Fifth National People's Congress, having examined the motion on amendments to some provisions of the Constitution (for the full text, see issue No.11, 1978) submitted by the Standing Committee of the Fifth National People's Congress, agreed that standing committees be established for local people's congresses at and above the county level, that local revolutionary committees at various levels be changed into local people's governments, that deputies to the people's congresses of counties be elected directly by the voters, and that the relationship between higher and lower people's procuratorates be changed from that of supervision to one of leadership.

The N.P.C. Standing Committee gave the following explanation on the necessity for these changes:

1. As the focus of our work is being shifted to socialist modernization and the local organs of power at various levels, particularly those at and above the county level, are shouldering heavy tasks, it is necessary to separate the organ of power (people's congress) from the administrative organ (people's government) and establish standing committees in people's congresses at and above the county level. When people's congresses at and above the county level are not in session, standing committees will perform their functions and powers as the permanent organs of the people's congresses at their respective levels. This will help broaden the scope of people's democracy, strengthen the socialist legal system, and improve the people's congress as an institution.

2. The revolutionary committee, a provisional institution which appeared during the Cultural Revolution, is no longer

able to meet the needs of the new period of socialist modernization. The change from local revolutionary committees to local people's governments will not only help strengthen democracy and the legal system but will give distinctive expression to the close relationship between the government and the people.

With the change from local revolutionary committees to local people's governments, the titles of the leading members of the local governments will be changed to governor and deputy governors (of a province), chairman and vice-chairmen (of an autonomous region inhabited in compact communities by minority nationalities), mayor and deputy mayors (of a city), head and deputy heads (of a county) and director and deputy directors (of a commune administrative committee).

3. The electoral law for the National People's Congress and local people's congresses promulgated in 1953 stipulated that deputies to the people's congresses at the county level and above would be elected indirectly by the congresses at their next lower levels respectively. In view of the fact that tremendous changes have taken place in China and a considerable rise has occurred in people's political and educational standards over the last two decades or so, it is now necessary and possible to broaden the scope of direct election of an organ of power to the county level. The aim is to give fuller scope to people's democracy and improve China's electoral system step by step.

4. In order to maintain the independence of the procuratorates, it is necessary to change the relationship between people's procuratorates at different levels from that of supervision to one of leadership, that is, the Supreme People's Procuratorate should offer leadership to local people's procuratorates and special procuratorates, and a higher procuratorate should offer leadership to a lower one.

ple's congresses and their standing committees. Deputies to a local people's congress have the right, when that congress is in session, to address inquiries to the people's government at

the corresponding level or to its administrative organs; such inquiries should be forwarded by the presidium to the organs concerned, and these are obliged to answer at the session. To en-

sure that deputies can perform their functions and powers fully, it is stipulated that no deputy to a local people's congress at or above the county level may be arrested or brought to trial without the consent of the standing committee of that congress.

II. The Criminal Law

Criminal law is one of the basic laws of the country. The present draft of the Criminal Law is prepared with Marxism-Leninism-Mao Zedong Thought as its guide and in the light of our concrete experience in exercising the people's democratic dictatorship led by the proletariat and based on the worker-peasant alliance, that is, the dictatorship of the proletariat. Its function is to "combat all counter-revolutionary and other criminal offences by inflicting penalties," and thereby protect the interests of the people and the state, consolidate and promote the lively political situation of stability and unity, and ensure the smooth advance of socialist modernization.

(1) One of the main purposes of the Criminal Law is to protect the public property of our socialist society and the legitimate personal property of its individual citizens. The draft provides that property owned by the whole people and property collectively owned by the working people shall be protected. At the same time, all legitimate private property shall be protected. This includes citizens' lawful income, savings, houses and other means of livelihood as well as such means of production as small plots of land for personal needs, livestock and trees lawfully owned or used by individuals or families.

(2) The draft Criminal Law explicitly provides that "the right of person, democratic rights and other rights of citizens shall be protected against unlawful infringement by any person or institution." It also provides that extortion of confessions through torture is strictly prohibited; that assembling crowds for "beating, smashing and looting" is strictly prohibited; that unlawful incarceration is strictly prohibited; and that frame-ups on false charges are strictly prohibited. Whoever fabricates facts to frame up another person (even a convict) shall be held criminally accountable in the light of the nature, seriousness and consequences of the false charges as well as with the criteria for imposing penalties. During the Cultural Revolution, the widespread practice of extortion of confessions through torture, the "beating, smashing and looting," and the unlawful in-

carceration and persecution on false charges perpetrated by Lin Biao and the gang of four led to extremely grave consequences with numerous cases of people being unjustly, falsely and wrongly charged or sentenced. Thus, the provisions in the Criminal Law declaring that these crimes shall be "strictly prohibited" accord with the wishes of the masses and are absolutely necessary.

The draft of the Criminal Law stipulates that "whoever insults another person by violent or other means, including the use of 'big-character posters' or 'small-character posters' or fabricates facts to libel another person, and to a serious degree, shall be sentenced to imprisonment for not more than three years or to detention." It goes without saying that we must continue to adhere to the principle of "three don'ts" (don't pick on people, don't put political labels on people and don't wield big sticks) and we must defend the right to criticize and counter-criticize in work, to refute opposing views in discussion, and to criticize and raise suggestions about leadership and work — all of which must be strictly distinguished from libel and insults. The state does not permit suppression of criticism and democracy in the name of the above provision of the law nor does it permit insults and libel against another person in the name of democracy.

(3) The draft Criminal Law is spearheaded at counter-revolutionary and other criminal acts. It stipulates relatively heavy penalties for major actively counter-revolutionary crimes and for other flagrant criminal offences which seriously endanger society, or which incur great popular indignation. In counter-revolutionary cases committed in a particularly flagrant manner and causing particularly serious harm to the state and the people, and in cases of homicide, robbery, arson, intentional flooding, criminally caused explosion and poisoning, etc., which results in grave harm, the law stipulates that the death penalty may be meted out.

In order to guard against misuse of criminal charges, the draft Criminal Law stipulates in clear-cut terms that counter-revolutionary offences are limited to acts "undermining the People's Republic of China with the aim of overthrowing the political power of the dictatorship of the proletariat and the socialist system." There are also explicit provisions in the draft concerning other types of criminal offences. As regards those offences not clearly stipulated in the draft, tight restrictions are placed on trial by analogy. It is stipulated that

analogous applications must all have the approval of the Supreme People's Court, without exception.

(4) At present the death penalty cannot and should not be abolished in our country, but it should be as rare as possible. Back in 1951, the Central Committee of the Communist Party of China and Comrade Mao Zedong repeatedly advocated minimum use of death penalties. Now that almost thirty years have passed since the founding of the People's Republic, and particularly with the increasing stability and unity in our domestic situation since the smashing of the gang of four, the draft Criminal Law therefore includes fewer articles relating to the death penalty.

In order to put the principle of fewer death penalties into effect and do our utmost to avoid the meting out of irreversible penalties in cases involving unjust, false or wrong charges, the present draft re-institutes the provision that the death penalty shall be inflicted only by the judgement or with the approval of the Supreme People's Court. The provisions on death penalty with reprieve, peculiar to China, are kept in this draft.

(5) The Criminal Law should, on the one hand, fully protect the people in exercising their democratic rights, and on the other, help to effectively maintain public order, the order in production, work, education, scientific research, and the daily life of the people. Hence, the draft stipulates that "disturbance of public order by any person by any means shall be prohibited." We should definitely not give any counter-revolutionary, enemy agent, spy or other enemy of the people any freedom or right to endanger the people or sabotage the cause of socialism.

(6) The task of the Criminal Law is limited to dealing with criminal offences. Infractions which do not violate the Criminal Law should be dealt with under Party or administrative discipline or by civil law, government decrees, or laws governing economic affairs and must not be considered criminally liable. Therefore, such infractions are not enumerated in the Criminal Law.

(7) The draft stipulates that the Criminal Law is to come into force on the date of its promulgation (January 1, 1980). All infractions committed and cases left over before the promulgation of this law shall be dealt with in accordance with the consistent principles, poli-

cies, laws and decrees of the Party and state in the past.

III. The Law of Criminal Procedure

The Law of Criminal Procedure is designed to guarantee the correct enforcement of the Criminal Law by means of judicial procedure. Five points call for explanation:

(1) The functional relationship between the public security organ, the procuratorate and the court involves their joint endeavour, under the leadership of the Party, to safeguard the socialist legal system in accordance with the provisions of the Constitution, the Criminal Law and other laws; each has its own functions to perform while all serve to complement and restrict each other. Such a relationship ensures the dealing of accurate blows at counter-revolutionary and other criminal offences in the interest of the people. The draft Law of Criminal Procedure stipulates, from the procedural point of view, the powers and functional relationship of the three organs. The public security organ is in charge of investigation, provisional apprehension, and inquiry in cases involving criminal offences. The people's procuratorate approves arrests, and procuratorial proceedings (including investigation) and institutes prosecution. If the public security organ differs from the procuratorate on a decision made by the latter, it may request reconsideration of the decision. The court is responsible for trying cases and sentencing offenders, and the procuratorate may lodge a protest against court judgements which it contests.

(2) In the draft of the Law of Criminal Procedure it is provided that, apart from the public security organ, the procuratorate and the court which, in accordance with the law, exercise respectively the rights of investigation, provisional apprehension, inquiry, approval of arrests, procuratorial activity, prosecution and trial, no other state organs, people's organizations or individuals have the right to exercise such powers. At the same time, in conformity with the principle that the judiciary organs should maintain appropriate independence in their work, the draft Law of Criminal Procedure stipulates that in handling a case, all courts, procuratorates and public security organs "must base themselves on facts and take the law as the yardstick." This is an obvious principle. It is specially reaffirmed this time in order to prevent the occurrence of indiscriminate arrests and detentions, frame-ups and encroachments

on the right of person and the democratic and other rights of the cadres and the masses.

(3) The accused, apart from having the right to defend himself, has the right to entrust, according to his own will, a lawyer, a relative, a guardian, a people's organization or an advocate recommended by the institution to which he belongs, to plead on his behalf. If the accused has not called in an advocate, the people's court has the obligation to designate one for him. The duty of the advocate is to defend the legitimate rights and interests of the accused and to help the court to avoid making errors in the trials.

(4) False charges and perjury are strictly guarded against by judicial procedure. In view of the fact that there were abominable cases of false charges and perjury some years ago, false charges, perjury and libel are designated as crimes in the draft of the Criminal Law, and in addition, the draft of the Law of Criminal Procedure provides that the courts, the procuratorates or public security organs, upon accepting an accusation or a report on offence, should clearly explain to the accuser or offence-reporter the legal accountability for false charges and perjury and advise him to refrain from all falsification. When questioning a witness, they must instruct him to be truthful in evidence and testimony and explain if he intentionally gives false evidence or withholds evidence he is legally liable. The law also provides that the court may take action against any witness who, in its opinion, has intentionally falsified or withheld evidence.

(5) The draft of the Law of Criminal Procedure stipulates that "stress should be laid on evidence; investigation and study and one should not be too ready to believe confessions." Attention should be paid to collecting evidence both pro and con so as to be able to prove whether or not the accused is guilty and whether or not his offence, if any, is grave in degree. "Extortion of confessions by torture and collection of evidence by threat, enticement, deceit or any other illegal means are strictly forbidden." "Evidence can be used as the basis of a judgement only after it has been verified." "The testimony of a witness becomes evidence for a final decision only after the public prosecutor and the injured party on the one hand and the accused and his counsel on the other, have conducted interrogation and cross-examination of that witness and other witnesses from both sides and the testimony has been verified." The draft also stipulates that the

accused shall not be convicted and sentenced without evidence other than his confession, and that he shall be convicted and sentenced where there is adequate evidence even without his confession.

IV. The Organic Law of the People's Courts and the Organic Law of the People's Procuratorates

These two laws are both revised versions based on the organic laws of the People's Courts and the People's Procuratorates enacted in 1954. In regard to the Organic Law of the People's Courts very few amendments of principle have been made. Apart from reiterating such important provisions as that the people's courts administer justice independently, subject only to law, several supplements and amendments have been introduced concerning the tasks, the system of defence, the people's assessors and the correction of wrong judgements already legally in force. As for the Organic Law of the People's Procuratorates, a good many amendments have been made.

(1) The nature of the procuratorates has been defined as that of a legal supervisory organ of the state. After the October Revolution, Lenin insisted that the function and powers of the procuratorial organs was to safeguard the unity of the state legal system. Applying this guiding concept of Lenin's and in the light of our own conditions, the Organic Law of our People's Procuratorates stipulates: (a) The Procuratorates "exercise their procuratorial authority independently and are not subject to interference by administrative organs, organizations or individuals"; (b) The chief procurators of the local people's procuratorates at various levels shall be elected by the local people's congresses at those levels by means of democratic election and the election results shall be reported to the chief procurator of the people's procuratorate at the next higher level who shall submit it to the standing committee of the people's congress of the same level for approval. The election or appointment of the chief procurator, deputy chief procurators and members of the procuratorial committee of the people's procuratorate of a province, an autonomous region or a municipality directly under the Central Government by the people's congress or its standing committee at the same level shall be reported to the Chief Procurator of the Supreme People's Procuratorate who shall submit the names to the Standing Committee of the National People's Congress for approval;

and (c) People's procuratorates at all levels shall set up procuratorial committees, practise democratic centralism, and make their decisions on major cases or other important issues through discussion.

(2) The relations between two people's procuratorates of adjacent levels shall be changed from those in which the higher supervises the lower to a relation of leadership. The local people's procuratorates at various levels are responsible and shall report their work to the people's congresses and the standing committees of the latter at the corresponding levels and, at the same time are placed under the leadership of the people's procuratorate at the next higher level, so as to guarantee the unified legal supervision by the procuratorate all over the country.

(3) As regards supervision over the organs and the working personnel of the state, the procuratorates deal only with violations of the Criminal Law, in which they must investigate criminal liability. Ordinary cases concerning breaches of Party or government discipline but no violation of the Criminal Law shall all be handled by the discipline inspection departments of the Party or the organs of government.

V. The Law on Joint Ventures With Chinese and Foreign Investment

For the purpose of absorbing foreign investments and expanding international economic co-operation and technological exchange on the basis of equality and mutual benefit, the State Council has decided to authorize certain joint ventures with foreign investment which are deemed by all participants as conducive to their interests. An appropriate law is therefore needed for this purpose. I shall point to the following three provisions in the draft of the law that is now proposed:

(1) The resources invested by a foreign participant in a joint venture pursuant to the agreements and contracts authorized by the Chinese Government as well as his other lawful rights and interests shall be protected by the legislation in force.

(2) The technology or equipment contributed by any foreign participant as investment shall be truly up to advanced world standards and appropriate to China's needs.

(3) The activities of a joint venture shall be governed by the laws, decrees and pertinent regulations of the People's Republic of China.

To facilitate the successful implementation of this law, specific regulations for its application will be worked out, and other related economic legislation will be enacted and enforced from time to time.

Fellow Deputies,

Can our laws, after being enacted, be enforced? And how can we ensure that: "laws must be observed, their enforcement must be strict and law breakers must be dealt with"?

(1) The adoption of our laws by the National People's Congress will show that they are the concentrated expression of the common will and interests of the 900 million people of all our nationalities and, once they are mastered by our people, can turn into a mighty force to safeguard socialist democracy and legality. Comrade Mao Zedong said: "Once the correct ideas characteristic of the advanced class are grasped by the masses, these ideas turn into a material force which changes society and changes the world." Once our laws are given into the hands of the 900 million people and mastered by them, they will use them as a weapon to supervise the observance of the laws by the state organs and every individual, and will expose, report and struggle against all law-breaking, thus effectively guaranteeing the enforcement of the laws.

Hence, to ensure that our 900 million people understand and master the laws, an extensive propaganda and education movement must be carried out among both the cadres and masses before the laws are put into effect. After the passage of our laws, a period of time is needed for preparation for their enforcement. We suggest that the Organic Law of the Local People's Congresses and the Local People's Governments, the Electoral Law, the Criminal Law, the Law of Criminal Procedure, and the Organic Laws of the People's Procuratorates and the People's Courts, following their adoption at the present session and their promulgation, be put into effect as of January 1, 1980. Prior to that time, the people of the whole country should be involved in a widespread and deep-going study and propagation of socialist democracy and the socialist legal system, so that the people throughout the country will gradually come to know and understand the Criminal Law, the Law of Criminal Procedure, the Electoral Law and the organic laws. In the future too, we should constantly carry out propaganda and education concerning democracy and legality and deepen the sense of legality

among the cadres and masses so that everyone will master legality and use it as a weapon. Moreover, ours is a big country. Political, economic and cultural developments are uneven and working conditions vary in the various provinces, autonomous regions and municipalities directly under the Central Government and among the various nationalities. Therefore the provinces, autonomous regions and municipalities must, in the light of their own conditions, make ample preparations and put these laws into effect in an orderly way and under a unified plan.

(2) The 900 million people must have their own sound specialized institutions or instruments for grasping and carrying out the laws, plus a large contingent of specialized personnel. The people's public security organs, the people's procuratorates and the people's courts are such specialized institutions for the enforcement of the law, in particular the Criminal Law and the Law of Criminal Procedure. They are powerful instruments of the dictatorship of the proletariat whose work is to protect the people and strike at the enemy. After the founding of the People's Republic, we established our own judicial organs and built up a strong contingent of public security, procuratorial and judicial personnel. Though there were shortcomings and mistakes of one kind or another in their work, they firmly and effectively fulfilled the glorious tasks, entrusted to them by the people, of striking at enemies while protecting the masses. But, as we know, this judicial contingent of the people was cruelly destroyed by Lin Biao and the gang of four. Since the downfall of the gang, we have restored the procuratorates, put back into order and strengthened the public security organs and the people's courts. What we have done, however, still cannot meet the need for strengthening and perfecting the socialist legal system now and in the days to come. In order that the Criminal Law and the Law of Criminal Procedure may be enforced in an all-round way, we should, first of all, strengthen politically and ideologically our public security, procuratorial and judicial organs, rectify and unify the thinking of the cadres and people's police working in these organs through imbuing them with the state's principles and policies concerning the strengthening of the socialist legal system and the laws, especially the Criminal Law, the Law of Criminal Procedure, the Organic Law of the Procuratorates and the Organic Law of the People's Courts adopted at the present session, and restore and develop, in

our judicial practice, the fine traditions and the style of work characterized by seeking truth from facts, investigation and study, adherence to the mass line, combining the work of specialized organs with the mass line, and putting stress on the weight of evidence instead of being too ready to believe confessions. We should train cadres in rotation, and organize the cadres and masses to study the laws. Secondly, we should promptly perfect the structure of the public security, procuratorial and judicial organs, and reinforce the ranks of their personnel. It is necessary to choose and to transfer to these organs a sufficient number of old, middle-aged and young people who have distinguished themselves as model workers and pioneers on various fronts and who are fair and honest in their dealings and enthusiastic in serving the people and working for socialism. These people may lack judicial knowledge and experience, but they have rich experience and knowledge of social practice in other fields. They will gradually become professionals in judicial work after a certain period of training and through study in the course of their work. Besides, students graduated with distinction from law institutes may also be enlisted in considerable numbers to reinforce this judicial contingent. It is hoped that the people of the whole country and all fields of endeavour will show their concern and support for and strengthen this contingent specially designated to protect the people and suppress the enemy. Under the leadership of the Communist Party of China the combination of our 900 million people with sound public security, procuratorial and judicial organs will reliably guarantee the strengthening and perfecting of our socialist legal system.

(3) Members of the Communist Party and revolutionary cadres must lead and set the example in observing and enforcing the law. Our laws are enacted under the leadership of the Central Committee of the Chinese Communist Party, at the National People's Congress, in accordance with the fundamental system of the people's democratic dictatorship and democratic centralism, and on the basis of broad democracy. They represent the will and interests of our entire people, and are a concentrated embodiment of the policies and positions of the Party. Hence, Party members and cadres should be the first to strictly observe the law, and take the lead in enforcing it. By observing and enforcing the law, Party cadres obey the will of all the people of China and obey leadership by the Party, thereby safeguarding the interests of the people. To oppose or break

the law means going against the will of the entire people and the leadership by the Party and thereby bringing damage to the people's interests. Talking to secretaries of provincial, municipal and autonomous region Party committees in January 1957, Comrade Mao Zedong stressed: "The law must be observed and the revolutionary legal system must not be undermined. Laws form part of the superstructure. Our laws are made by the working people themselves. They are designed to maintain revolutionary order and protect the interests of the working people, the socialist economic base and the productive forces." All men are equal before the law — this is a slogan of our entire people, the entire Party membership and all our revolutionary cadres; it is an ideological weapon in our fight against anyone who pursues privilege. Before the law, Party members and revolutionary cadres have only the obligation to take the lead in observing it in an exemplary fashion, and they have no special right whatsoever to violate it. Whoever breaks the law and commits a crime, no matter how great his seniority, how important his office and how large his contributions, shall not be indulged and shielded but shall be punished according to law. In our socialist country inconsistency between words and deeds is impermissible; and so is the privilege of placing oneself beyond or above the law. The pursuit of privilege is in essence a reflection of the mentality

of the feudal rulers who rode roughshod over our people for thousands of years. This is a mentality which corrupts and ruins our cadres, undermines the revolutionary legal system and if allowed to spread can wreck our state and our Party. It must be criticized and eliminated.

The laws to be examined and approved by the present session, and their subsequent enforcement, will be a big step in the strengthening and perfection of our socialist legal system. Even greater tasks lie ahead. As our economic construction progresses, we shall enact a variety of economic and other laws on the basis of systematic investigation and study and thus gradually perfect our socialist legal system. The strengthening of the socialist legal system will inevitably involve sharp and complicated struggles to break down all kinds of resistance and obstruction put up by feudalism, capitalism, revisionism and remnants of the factional set-up of the gang of four. So long as we rally closely round the Central Committee of the Party headed by Comrade Hua Guofeng and under its leadership, rely on the socialist workers, peasants and intellectuals and all other patriots supporting socialism, and mobilize all positive factors that can be mobilized, we shall certainly be able to perfect our socialist legal system step by step and thereby promote and ensure the success of our socialist modernization.

(Subheads are ours.)

Ling Yun on Counter-Revolutionary Offences And Capital Punishment

Speaking about certain articles in the Criminal Law just before the closing of the Second Session of the Fifth National People's Congress, Ling Yun, deputy to the National People's Congress and Vice-Minister of Public Security, said that whether a crime is counter-revolutionary or not, "is based on what has been done, and not on anything else."

He pointed out that a person with reactionary ideas but who has not committed any

Ling Yun is Vice-Minister of Public Security.

counter-revolutionary acts which aim at overthrowing the dictatorship of the proletariat and the socialist system cannot be convicted of a counter-revolutionary offence. "We are firmly against resolving ideological questions and the problem of dissidence by judicial or administrative means. But those found guilty of counter-revolutionary offences must be convicted as counter-revolutionaries. It is wrong to describe them as political 'dissidents.' Except during the time when the gang of four was on the rampage, we have always followed this policy and will do so in the future."

This 62-year-old deputy, experienced in public security work, pointed out: "Every state forbids any actions aimed at overthrowing its political power and social system and makes specific provisions in its criminal law to punish those who engaged in such activities so as to protect its political power and social system. The class content and the nomenclature, however, vary in countries with different social systems.

"China is a socialist country and the state represents the interests of the workers, peasants, intellectuals and the entire labouring people. While it is a fact that counter-revolutionaries who oppose and try to undermine our political power and socialist system do exist in our society, they are only an extremely small fraction of the population and their number is diminishing."

On capital punishment specified in the Criminal Law, Vice-Minister Ling Yun said: "We have always advocated arresting as few as possible and keeping executions down to the absolute minimum." But, capital punishment cannot and should not be waived for the very few heinous counter-revolutionaries, and other criminals found guilty of murder, rape, robbery, arson, breaching of dykes, criminally caused explosion and poisoning with serious consequences.

"Even towards such criminals," the vice-minister continued, "the death penalty is demanded as occasionally as possible. Since 1951, many offenders sentenced to death were simultaneously granted a two-year reprieve if immediate execution was not absolutely necessary; they had to be reformed through labour in the two years and their behaviour in this period was noted and taken into account. This measure is solely intended to redeem and reform criminals, not to put psychological pressure on the sentenced before execution.

"In fact, the overwhelming majority of such reprieved criminals later had their sentences commuted to life imprisonment or to a certain number of years. Many in this group have been leniently released. Among the convicts pardoned

and released by our government in 1975, a large number belonged to this category.

"This cautionary judicial measure helps hold executions down to the absolute minimum and avoid miscarriages of justice as well as serves the purpose of both punishing and reforming criminals."

China's two important laws — Criminal Law and Law of Criminal Procedure, he added, are not copied from any other country, nor are they extensions of the laws in old China. They are based on New China's Constitution and the experience, both positive and negative, gained in public security and judicial work over the last 30 years. They conform to the practical situation of present-day China.

He went on to say that the lightest punishment in the Criminal Law — supervision by the masses — is a feature unique to China. This embodies the policy of arresting the least possible number of people in action. Those placed under mass supervision work in their original organizations, receive equal pay for equal work and live at home. But they are deprived of certain political rights during this period of supervision, i.e., they must accept the supervision of the masses and give an account of their activities, and may not freely change their place of residence. Through the examination by the local law enforcement body and the surveillance and education by the people, the supervised will regain their citizen's rights when the supervision period expires. This is an expression of both the solemnity of law as well as the policy of leniency and revolutionary humanitarianism.

Referring to the period for handling a case set forth in the Law of Criminal Procedure, Vice-Minister Ling Yun said that the period between arrest approved by the procuratorate and court trial should be within four months, or at most five and a half months. This is a safeguard against a repetition of the illegal incarceration of people, infringements upon the freedom of person and the democratic and other rights of the cadres and the masses as happened during the days of Lin Biao and the gang of four.

On-the-Spot Report

N.P.C.: Lively Political Atmosphere

The recent session of the National People's Congress helped greatly to strengthen people's democracy, improve the socialist legal system and push forward socialist modernization. An atmosphere of socialist democracy permeated the session. Following are some notes by our own correspondent and his Xinhua News Agency colleagues.

PEOPLE'S deputies from all parts of the country met here in Beijing, the nation's capital, between June 18 and July 1 to attend the two-week-long Second Session of the Fifth National People's Congress, the highest organ of state power in China.

Altogether 3,279 deputies attended the congress. There were 31 delegations, one from each province, municipality and autonomous region and the Liberation Army. Unlike the M.P.s or congressmen of Western countries, these deputies are not professional politicians, but representative figures from all walks of life, with workers and peasants predominating.

The largest delegation was that from Beijing municipality (216); the next largest was from the most populous province in the country, Sichuan (198); and the third largest was the Shanghai delegation (174). The smallest delegation was that of Taiwan Province (12).

When the congress was in session, your correspondent spent a lot of time with the delegations from Sichuan, Liaoning, Beijing and Shanghai.

Unity of Will

ALL the deputies shared the determination and desire to build China into a modern socialist country. The same will and enthusiasm went into formulating the series of related major policies and principles.

They unanimously supported Premier Hua Guofeng's Report on the Work of the Government, holding that the report had summed up what had been achieved since the first session of the fifth congress held in March last year, analysed the current situation and problems in a down-to-earth manner, put forward principles, policies and measures for the four modernizations, stressed the need to strengthen socialist democracy and perfect the socialist legal system, and clearly enunciated China's foreign policy. Premier Hua's report, they said, had brought about unanimity of thought and action with regard to major issues.

Deputies from Sichuan spoke about their home province, known since the days of old as the "land of plenty." However, through the interference of the ultra-Left line of Lin Biao and the gang of four the province became a "poor relative." After the downfall of the gang, various difficulties were overcome and the situation there has improved and is getting better and better.

In the past year following the First Session of the Fifth National People's Congress, Sichuan continued its efforts criticizing Lin Biao's and the gang of four's ultra-Left line. This aroused the enthusiasm of the local cadres and the masses and brought about greater stability and a sustained upswing in production. Grain output went up by 5 million tons in the last two years. The harvest of spring wheat this year was almost 500,000 tons larger than that of last year, despite a prolonged dry spell. Its industrial output value rose by 8,000 million yuan in the last two years. Compared with the corresponding period last year, the output value rose 8.9 per cent between January and May this year. The increase for light industry was 12.9 per cent. Everything is being done by the province to beat off drought to bring in a rich harvest.

The Sichuan deputies look confidently to seeing the principle of readjusting the national

economy being implemented to bring about the four modernizations.

From what the deputies said, each representing his or her trade or profession, one could feel the Chinese people's mounting enthusiasm since the last session of the congress.

Xu Xi, Professor of High Energy Physics, Sichuan University of Science and Technology, said: Premier Hua in his report stressed that the socialist workers, peasants and intellectuals alike are the masters of the country. This has made me more aware of my responsibility. For more than a decade, when Lin Biao and the gang were riding high, there was a confusion as to who were the masters and who were the enemies. What were socialist intellectuals? Were they masters of the country, or friends, or guests, or enemies of the people? During those years, they seemed to become enemies. For a long time I was very depressed; this question kept nagging me. Now I know that "all-round dictatorship" introduced by Lin Biao and the gang of four was an attempt to get rid of all veteran cadres, veteran workers and intellectuals, both inside and outside the Party, so as to make it easier for that handful of careerists to seize power. We intellectuals now do feel that we too are the masters of the country and together with the workers and peasants we will press ahead towards the four modernizations under the leadership of the Party Central Committee headed by Comrade Hua Guofeng!

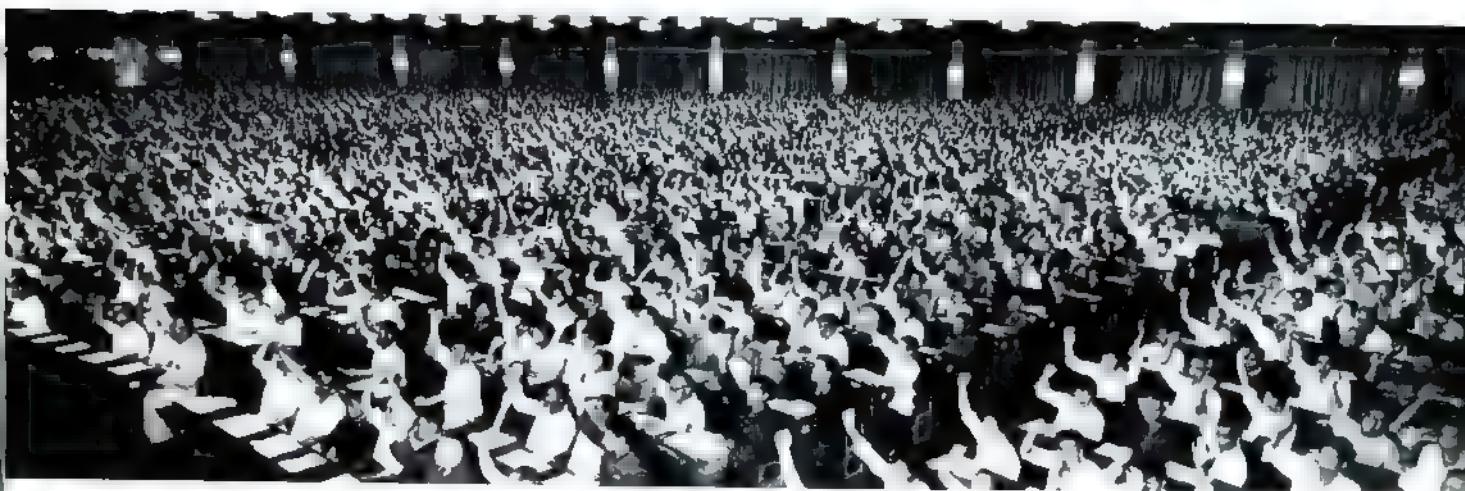
Professor Xu was immediately followed by Huang Rongchang, a noted national model worker, an old worker and now deputy chief engineer of the Chongqing Iron and Steel Company. Premier Hua's report has indeed said



Worker-engineer Huang Rongchang (first from right) discussing the report on the work of the government with fellow deputies from Sichuan.

what is in the minds of our workers, peasants and intellectuals, he said. Under the "all-round dictatorship" of Lin Biao and the gang of four, even a person like myself was accused of all sorts of things and locked up. I was even expelled from the Party and disqualified as a deputy to the Fourth National People's Congress. With the gang of four out of the way today, workers, peasants and intellectuals are drawing close together, quite at our ease, doing all we can for the four modernizations. The steel plant in our company lost 120 million yuan in four years before the gang was thrown out. Last year, the plant turned in a profit of 40 million yuan to the state.

The living standards of our workers and staff members have also improved, continued



The 3,000-odd deputies adopting resolutions at the closing session.

Huang. Meat is no longer rationed and tea is now sold at a very low price by the pile. What a change this is to those years when everything was short. People are full of pep nowadays, willing to do their bit to speed up socialist modernization. If we don't, people say, we'll be letting our country and the nation down. We'll be letting down the revolutionary martyrs and our children and our children's children!

Frank Criticisms

WHILE showing their support for Premier Hua's report, the people's deputies also criticized many aspects of the work of the government.

Deputies at group discussions affirmed the many achievements in the work of the government in the last year and more, but they also pointed up many problems in a forthright manner. Among them: swollen and overstaffed setups; a bureaucratic style of work on the part of some cadres who divorce themselves from the masses; an overextended



Ba Jin, noted writer.

capital construction front and violations of procedure leading to waste; chaotic management in certain enterprises and the many problems in the economic management structure; unauthorized and covert price hikes. Criticisms were sharply put and there were many proposals for improvement.

Many deputies took some government functionaries, particularly ranking cadres, to task for improper practices, such as abusing their positions to seek privileges, "under the counter" dealings and suppressing people's democratic rights. Deputies gravely pointed out

the need for firm measures to stamp out such practices. Some urged that steps be taken as quickly as possible to test cadres' competence and check on their work, and solve the "iron rice bowl" problem (meaning a secure job and guaranteed income, irrespective of one's efficiency and attitude towards work).

Jin Chuan, in charge of a machine-building bureau in Sichuan, lambasted what he called the three abuses of our time: One, too many levels in the existing structure of industrial management and "too many talking and not enough working." Two, the bad tendency among some leaders to "base plans on wishful thinking and spending their time passing the buck." Three, too many leading cadres at all levels. In some units, there were "as many as two tables of Party committee members" (in traditional Chinese feasts, each table sat ten) and a long list of leading administrative cadres and their deputies. There were too many people to sign names and not enough people doing. Jin Chuan suggested that all the leading bodies should be trimmed through elections, because the masses knew best who were competent and who were not. After a period of ideological education, he said, leading bodies should be pared down as soon as possible through elections. This has many advantages, he declared.

Ba Jin, noted veteran writer and deputy from Shanghai, told fellow deputies how a young man in Shanghai recently conned people that he was the son of a senior cadre, and was received as a honoured guest everywhere he went, even getting some leading cadres to grant him all kinds of special privileges until he was finally exposed. Ba Jin recalled that at last year's session, Gogol's play *The Government Inspector* or *Inspector General* was put on for the deputies. "This satire written by a Russian playwright more than 100 years ago is actually ridiculing us," Ba Jin said. "We must improve our social ethics and make a clean sweep of feudal prerogatives."

Shanghai deputy Yuan Shuefen, celebrated Shaoxing opera actress who was hospitalized at the time of the session, also mentioned that young swindler in a written statement. She said: But if that young man were actually the son of a senior cadre, he would have got away with the things he did? If things go on like this, I'm very much worried. There must be clear-cut rules to prevent state organs from being contaminated by such things.

Controversy Over Big-Character Posters

PEOPLE'S deputies from Liaoning Province debated the pros and cons of big-character posters during their discussion on safeguarding people's democratic rights in accordance with the draft criminal law.

Forty-six-year-old peasant deputy Gan Yuanli said: "I propose we ban big-character posters because:

- during the Cultural Revolution, many people had put up big-character posters all over the place to promote their bourgeois factional setup and to knock out their rivals;

- big-character posters were exploited by some people to libel others, to smear people as widely as possible and to create chaos;

- big-character posters were a big waste of ink and paper.

Ours is a socialist country, he stressed, and the people are the masters of the country. And the democratic life in our country is most extensive. For instance, the people are entitled to take a direct part in running the affairs of the state, workers to take part in the management of enterprises and rural commune members to take part in discussing their productive activities.

Gan, with more than 20 years of experience in rural work and the secretary of the general Party branch of the Dingjiagou production brigade in Haicheng County, cited what happened in his brigade to support his argument.

After the gang of four was smashed, he said, no one put up a single big-character poster, yet democracy flourished and production, too. Each of the seven production teams under the brigade holds a mass meeting every month to let its members speak out. Cadres are constantly among the masses to hear what they have to say. Party members meet once every ten days to make criticisms and self-criticisms. Production brigade and team cadres assemble brigade members every month to fill them in on what is going on. There are opinion boxes in the brigade as well as each team. Certain cadres are appointed to

handle these criticisms, suggestions and enquiries from the members and reply to the masses at regular intervals.

That is the democratic life our commune members enjoy, he said. They don't want to put up any big-character posters.

Yang Yuewei, 27, who works at the Dalian Chemical Works, however, disagreed. "I'm not completely in agreement with what Deputy Gan Yuanli said. Big-character posters are still a form of democratic life. The question is how to make better use of it."

He explained that people in his factory still put up big-character posters from time to time criticizing the leadership, proposing measures to improve the style of work of the leadership, to prevent pollution and so on. The leadership pays serious attention to and values these.

Yang Yuewei averred that "the democratic role of the big-character posters cannot be totally denied." However, he agreed that posters, like the ones put up at Xidan in Beijing should be banned. His argument was that if anyone had anything to say, he could always put up big-character posters either in the unit or district where he belonged to.

Physics Professor Shen Hongtao of the Northeast Institute of Engineering objected banning the big-character posters at Xidan. He said: People should be allowed to put up big-character posters there. Leave it to the masses to judge whether they are right or wrong. It is unwise to forbid people putting up big-character posters by administrative means.

Liaoning deputies at a group discussion.



"However," he stressed, "when people try to make use of big-character posters to heap calumny on others, they are liable to punishment as the draft Criminal Law has explicitly stipulated."

Professor Shen added that the democratic life of the Chinese people is rich in content. It is democracy for the majority, something entirely different in nature from the democracy in a capitalist society.

Discussion on Family Planning

PREMIER Hua in his report gave prominence to the strategic significance of family planning and population control. Animated discussions on this subject took place among the deputies.

Zhao Zengyi of Yunnan said that in his province there was a bumper harvest in 1978 but the per-capita share of grain was nevertheless 47 kilograms less than that of 1956. The reason was that while grain output in the last 22 years went up annually at an average 1.7 per cent, the annual average rate of population

In Shifang County, Sichuan Province: issuing a certificate of honour to young couples having only one child.



increase was as high as 2.4 per cent.

Gao Weilong, a deputy from Sichuan, however, gave an entirely different picture. The natural rate of population growth in Sichuan's Shifang County had actually dropped from 3.2 per cent in 1970 to 0.264 per cent in 1978. Last year, as a result of better farm yields, average grain output per capita in the county went up by 64 kilograms.

Some deputies analysed grain production and distribution in China in the coming period. By 1985 the planned figure for the nation's total grain output will be 400 million tons, or an increase of 95 million tons over that of 1978, a target that can be achieved only after tremendous efforts. But, if the population increase remains unchecked, at the present natural rate of growth, there will be 84 million more people by then. If everyone is to get 250 kilograms of food grain a year, then there will have to be an extra 21,000 million kilograms of grain. This means that they will consume 22 per cent of the total increased grain output. Therefore, it is imperative to resolutely hold in check the population growth.

Deputy Xin Yuling from Beijing told his group that at the time of liberation when China had a population of 500 million and more, some comrades already brought up the question of "controlled growth of the population." Unfortunately, this was subjected to criticism.

Today, China has a population of more than 975 million. In order to accomplish the strategic task of restraining the growth of our population, he said, we should study the Marxist theory of population and draw lessons from our historical experience.

Deputy Qian Xinzhou, Minister of Public Health, in an analysis, said: Every year in China some 10 million couples of young men and women will reach marriageable age and they will marry and have children. At the existing rate of population growth, China will have a population of 1,300 million by the end of the century. If

the population is to grow to such a size, we will be compelled to devote a considerable amount of our financial and material resources to feeding the newly increased populace. That will inevitably slow down the four modernizations. We plan to lower the country's natural rate of population growth to around 5 per thousand by 1985. In other words, the net increase of population shall be lowered to around 5 million. This means that on the average each couple as of now can have only one child. Deputy Qian emphasized that now it is high time to attend to the question of family planning and controlled population growth as we do to the question of production.

The deputies' strongly expressed views were immediately noted by the government. Chen Muhua, Vice-Premier and Head of the National Group of Family Planning, told deputies that a family planning law would soon be adopted to check population growth.

Deputies' Activities

THE 31 delegations were accommodated in 16 guest houses, hotels and reception centres in the city and its suburbs.

They got up very early. Some strolled in the public parks nearby, others did morning exercises and the actor and actress deputies did their drills.

Before and after breakfast they read documents of the congress in their rooms. Some discussed or made proposals together for amending reports and the draft laws.

A delegation with 60 members or more was divided into smaller groups for discussions. The 31 delegations were separated into 88 groups, the largest ones having 50 members.

When the congress was in session, the secretariat published and distributed more than 200 news bulletins reporting speeches made by members of the various delegations.

Group discussions and studying documents generally took place between 8:30 and 11:30 a.m. and between 3 and 6 p.m. Plenary meetings were held in the afternoons. In the evenings,



Comrade Zhang Binggui, a deputy from Beijing who works at the Department Store on Wangfujing Street, swapping experience with Wang Juanhua, a deputy and sales clerk from Shanghai during a break.

there were film shows or other entertainment organized by the secretariat.

Deputies of similar professions often called on each other to exchange views on important questions of common concern. Professor Su Buqing, 76, hale and hearty, talked at length with two visitors about the modernization of China's educational undertakings. Su is president of Fudan University in Shanghai and a noted mathematician.

Deputies to China's highest legislature are widely representative. They come from various fronts, including people from different social strata—from engineers to miners, from agronomists to ordinary farmhands as well as ballerinas, film actors and actresses, chefs, shop attendants, engine drivers and chauffeurs.

When the congress is not in session, they work at their own different posts. When the N.P.C. is in session, they draw their normal wages without anything extra thrown in. They decide major affairs of state in the capacity of people's deputies.

The 55 minority nationalities in the country all have their own deputies to the National People's Congress.

The Second Session of the Fifth N.P.C. is over. Its deputies have all gone back to their own posts. With the people who elected them, they are working to implement the various resolutions of the congress, helping to promote socialist democracy, the socialist legal system and socialist modernization in China.

Stop Viet Nam's Refugee Export— An Urgent Matter

THE tragedy arising from the large-scale export of refugees by the Vietnamese authorities has stunned the world. A million destitute and homeless refugees struggling on the verge of death have become a disaster of international proportions. It is no longer a question of humanitarianism — how to take in and settle the refugees. How long will the international community tolerate this unscrupulous policy of genocide and regional hegemonism pursued by the Vietnamese authorities? This is a critical question challenging all justice-upholding countries and people in the world.

This Problem Cannot Be Ignored

Since 1978, about a million refugees have crossed the borders or the sea from Viet Nam, Kampuchea and Laos into Southeast Asian and other countries. It is estimated that at least 40 per cent of the refugees have perished at sea or in alien countries. More than 300,000 are now in refugee camps in Southeast Asia waiting to be settled. According to statistics, the refugees who were driven out of their countries and escaped death by sheer good luck averaged 7,500 each month last year, and the monthly average in the first quarter of this year was 11,000. It was 35,000 in April and 59,000 in May. The expulsion and even murder of refugees on such a large scale and in such a planned and purposeful way can only be compared to the genocidal atrocities perpetrated by Hitlerite fascism. Countries and people upholding humanitarianism and justice must not turn a blind eye to the Vietnamese authorities' more insidious genocidal crimes today but must deal with them appropriately.

Many governments and statesmen have now begun to take action. The recent conference of foreign ministers of the five ASEAN countries explicitly pointed out that the wave of refugees, which has reached its crisis point, is posing serious political, social, economic and security problems to the ASEAN nations. It unanimously called for a halt to this exodus of refugees, which is essentially no different from

an invasion, and stressed that Viet Nam must be held responsible for this. The Special Statement issued on June 28 at the seven-nation summit conference by Japan, the United States, France, Britain, West Germany, Italy and Canada noted that the exodus of Indochinese refugees menaced peace and stability in Southeast Asia. The statement called for immediate and gigantic efforts to deal with this problem. British Prime Minister Mrs. Thatcher's proposal for the convening of an international conference on Indochinese refugees has received a positive response from more and more countries. U.N. Secretary-General Kurt Waldheim said that he would help promote the convening of such an international conference. He preliminarily decided on the participating countries and set a date for the conference. This fully shows that an increasing number of countries and the international community as a whole are deeply concerned about succouring and settling the Indochinese refugees, profoundly moved by their sufferings and strongly indignant at the Hanoi



Hitler: Use my gas ovens
Hanoi: But drowning is cheaper.

by Hua Junwu

leaders' inhuman policy of large-scale export of refugees.

Hanoi's New Trick

In the face of universal condemnation and powerful pressure from world opinion, the Vietnamese authorities, instead of mending their ways, have intensified their large-scale export of refugees. At the same time, they are resorting to various tricks to bide their time and put up stubborn resistance.

One of their tricks is to say fine things to lull the people. In the latter half of June, the Hanoi authorities sent out a special envoy to Indonesia and Malaysia, loudly proclaiming that the refugee problem will certainly be solved satisfactorily for the peace of this region. At the same time Vietnamese diplomatic officials persistently declared that the exodus of Vietnamese results from "humanitarian" considerations, and is intended to let their families reunite, and that they are being allowed to go abroad in a legal way to make a living and so on. Hanoi tries to use such fine-sounding words to justify its expulsion of a million refugees, claiming that it is out of humanitarianism and kind-heartedness. The aim is to delude the Southeast Asian countries and to turn big problems into small ones and small problems into no problems at all. But these honed professions are an unsought admission that the Vietnamese authorities' policy of forcible expulsion of refugees will not change in the least.

Two, diversionary activities. Seeing that an international conference on the Indochinese refugee issue is around the corner, the Vietnamese authorities are trying to change the very nature of the conference in order to turn it into a screen concealing their forcible driving of refugees abroad. They declared that an agreement has been reached with the United Nations High Commissioner for Refugees on an "orderly" departure of refugees and that, if an international conference is to be held at all, the only thing to discuss is the "question of enforcement" of the agreement. In other words, an international conference can be held but only if it is convened in the way Viet Nam prefers. Obviously, Hanoi wants the international conference to discuss and work out the number of refugees to be accepted by the countries concerned, not the crux of the refugee issue, and least of all practical measures to stem the exodus. If the Vietnamese authorities' strategem succeeds, the international conference would actually confer a veneer of legality on their



Boat packed with Vietnamese refugees drifting 400 miles south of Thailand.

atrocious policy of driving people out of their countries, instead of getting at the cause of the exodus, and that would be tantamount to encouraging this bloody-minded regime to redouble its efforts to drive out more people.

Three, blaming others. Both the Vietnamese authorities and their back-stage manipulator, the Soviet Union, have incessantly slandered China, coming out with the absurd charge that foreign countries, first of all, China, should be held fully responsible for the Indochinese exodus. This unfounded accusation by Hanoi and Moscow is both vicious and malevolent. As everyone knows, a certain proportion of the refugees are ethnic Chinese. This is so because of Viet Nam's policy of national discrimination and genocide. But the Vietnamese authorities are now trying to put the blame on China for the massive entry of refugees into other Southeast Asian countries and the resultant social and economic problems there. More-

Han Nianlong's Statement

Viet Nam Should Stop Exporting Refugees

AT present, the question of Indochinese refugees has become an international issue attracting worldwide attention. Exporting refugees is an important step taken by the Vietnamese authorities in their pursuance of the policy of regional hegemonism and a grave issue undermining peace and stability along the border and bringing about the deterioration of Sino-Vietnamese relations.

This was said by Han Nianlong, Head of the Chinese Government Delegation, in his speech at the 7th plenary session of the Sino-Vietnamese ministerial negotiations on July 5.

He pointed out that the sinister purpose of the Vietnamese authorities in their large-scale export of refugees is to create turmoil and disrupt public order in neighbouring countries so as to serve Hanoi's policy of dominating Southeast Asia.

He said: "China has borne the brunt and suffered greatly from the Vietnamese authorities' massive export of refugees. In the last year and more, over 230,000 people have been driven from Viet Nam into China, including Chinese nationals, Viet-

namese of Chinese descent and other Vietnamese nationals. And more groups are being driven to this country by sea or by land. The Vietnamese authorities are wantonly persecuting the local ethnic minorities such as the Miao, Shas, Yaos, and Nongs in the counties and villages of Hatien, Hoang Lien Son and Laichau Provinces bordering on China, forcing them to barge into China's frontier regions in large groups. They are planning to further drive hundreds of thousands of border inhabitants into China. This criminal practice of the Vietnamese authorities is bound to aggravate tension along the Sino-Vietnamese border and cause a further deterioration of relations between the two countries. In these circumstances, Vietnamese rhetoric about their desire to normalize relations with China and live in amity with neighbouring countries has no credibility."

He demanded that the Vietnamese authorities stop forthwith their persecution of Chinese nationals, Vietnamese citizens of Chinese descent and ethnic minorities and their acts of driving them into China. He also demanded that they immediately change their policy of creating and exporting refugees, arrange for those still floating on the sea and those who have not been resettled to return to their country and ensure them their elementary right to life.

over, the Vietnamese authorities are trying to exploit the fact that many citizens of these countries are of Chinese origin to sow discord and create confusion. This, they evidently hope, would facilitate their subversion, infiltration, intervention and expansion in the region. This Hanoi-Moscow tactic of baselessly accusing China while doing the Southeast Asian countries harm is very vicious.

Why Moscow Cheers Hanoi

All this shows that the Vietnamese authorities will not give up their policy of forcibly driving people out. This is because the policy meets their domestic and external needs, and stems from their wild regional hegemonist ambitions and great-Vietnamese national chauvinism. The Vietnamese authorities found

it practically impossible to rely on their fragile economic foundations after long years of war to carry on their control over Laos and aggression against Kampuchea, carry out armed provocations against China, menace and put pressure on Thailand and maintain a regular army of a million men. Financial and material resources were drying up and 50 million people had to live. The Vietnamese authorities were in a fix. So, in addition to begging for assistance from the Soviet Union, they set about getting rid of many of their own people to lighten the burden of feeding the population and, at the same time, extort vast sums of money. They hope to win a respite at the cost of a million human lives and to cash in on the

(Continued on p. 30.)

Somoza Regime on Its Last Legs

Mme. CHAMORRO and Alfonso Robelo, members of the newly formed National Reconstruction Government, told a Xinhua correspondent in San Jose on June 29: All the Nicaraguan people have risen in struggle against the isolated Somoza regime and are nearing their final victory. The people's armed forces control more than 75,000 square kilometres, or over half the country.

They further asserted that after the Somoza regime is overthrown, a government comprised of all political parties with diversified ideologies will be set up. It will develop a mixed economy and establish diplomatic relations with those countries which have supported the Nicaraguan people in their struggle against the Somoza dictatorship. They also declared that they were opposed to foreign intervention and would not accept any form of mediation with Somoza.

Somoza's Rise to Power

Nicaragua was reduced to a Spanish colony in the 16th century and became a republic in 1839. In 1927 the United States invented an excuse that it needed to "protect" its interests and

landed its Marines there. Under the leadership of Augusto Sandino, the Nicaraguan people fought a guerrilla war against the invaders, forcing them out in 1933. Before their withdrawal, however, the U.S. Marines carefully groomed a "National Guard" under the command of Anastasio Somoza Garcia, owner of a bankrupt coffee manor who had been trained in Philadelphia. In February 1934, the old Somoza, acting on his American boss' order, hypocritically made up to Sandino and signed agreements with him. Then after the "state banquet" held in honour of the occasion, he had Sandino assassinated. In 1936, he proclaimed his presidency, thus marking the beginning of the Somoza regime.

Soon after taking power, the old Somoza used the state machinery to manipulate the supply of gold, timber, rubber and other raw materials to the United States and engaged in smuggling. He sold import and export licenses, controlled the prices of certain commodities, and monopolized Nicaragua's animal husbandry; his tentacles extended over industry as a whole.

When the old Somoza was assassinated in 1956 his eldest son Luis assumed the presidency. Eleven years later, Luis' younger brother, the current President Anastasio Somoza Debayle, took office. His tenure is due to expire in 1981, at which time he plans to have his eldest son, Somoza III, succeed him.

By dint of robbery, trickery and force, the Somoza family in the past 40 years have established a monopoly which encompasses practically every trade and industry in the country. The seven oligarchic groups of the Somoza family own 340 enterprises with a total capital of 2,000 million U.S. dollars; President Somoza himself possesses 100 enterprises and property worth 500 million U.S. dollars. Large plantation owners who make up only 5 per cent of the nation's population hold 58 per cent of the arable land. Twenty per cent, according to U.S. Readers' Digest, is in the hands of the Somoza family.





Somoza troops captured in Leon by the Sandinist National Liberation Front's forces.

The Somoza dictatorial regime is shored up by an American-trained National Guard with Somoza, a West Pointer, as its head, his half-brother Jose Somoza its inspector general and his eldest son controlling the training school of the National Guard, thereby keeping tabs on the young officers. As the National Guard is the only armed forces in Nicaragua, it functions as the police, and supervises Nicaragua's tariffs, immigration affairs, and post and telecommunications. Its ranking officials run brothels and gambling houses.

People in Deep Waters

The criminal rule of the Somoza regime has emaciated the Nicaraguan economy. The deterioration accelerated last year, reducing 60 per cent of the peasantry to the point of starvation. In 1978, some major cotton-producing areas, Leon included, were wantonly bombed and agricultural production dropped sharply. In the same year, the Nicaraguan economy witnessed a zero growth rate but inflation whisked up to 17 per cent. The unemployment rate soared from 24.5 per cent in 1977 to over 40 per cent in 1978. In order to handle the economic situation, Somoza ordered the Congress to pass an decree which increased income taxes and the tax on consumer goods. As people found it more and more difficult to eke out a living, their hate for Somoza increased. To topple Somoza has become the battle-cry of the people across the land.

Struggle Against Dictatorship

The Nicaraguan people's struggle against Somoza's dictatorial regime had never ceased

over the last 40 years. The Sandinist National Liberation Front has been fighting since it was formed in the early 60s. Opposition to Somoza also includes the "12-member group" organized mainly by noted intellectuals and entrepreneurs and the Union of the National Democratic Liberation which used to be headed by Joaquin Chamorro, chief editor of *La Prensa*. When Joaquin Chamorro was assassinated in January 1978, the first general strike in the history of Nicaragua was called. From January to September there were three nationwide strikes and three armed uprisings. On September 9, the Sandinist National Liberation Front temporarily occupied Leon, the second

biggest city in the nation, and part of Managua, the Nicaraguan capital. The armed uprisings spread to nine of the 18 provinces and lasted two weeks. Under the frenzied crackdown of the Somoza regime, many insurgents retreated into the mountains to continue their struggle. Last January mammoth anti-government demonstrations were held in many big cities to mark the first anniversary of the murder of Joaquin Chamorro. Afterwards, the insurgent forces launched extensive armed assaults on larger and larger scales against the National Guard.

On May 29, the Nicaraguan anti-government armed forces launched a strong offensive with broad popular support. Within ten days, they seized control of Esteli, Matagalpa, Leon and four other cities and swept into the capital. In response to the call of the Sandinist National Liberation Front, a nationwide general strike was called on June 4, halting traffic, telecommunications, industrial and commercial activities, water and electrical supplies and paralysing all major cities including Managua.

The people's struggle against Somoza reached a new stage in mid-June, when a provisional government representing all strata and all anti-government organizations was formed in San Jose, capital of Costa Rica. On July 3, the Sandinist National Liberation Front radio announced the capture of Rivas, an important town in the southern part of the country which reportedly will become the seat of the government.

ASEAN MINISTERIAL CONFERENCE

Facing Hanoi's Challenge Squarely

The 12th ministerial conference of the Association of Southeast Asian Nations was held in Bali, Indonesia, from June 28 through 30. This took place at a time when Hanoi gravely disturbed Southeast Asia by invading Kampuchea, threatening Thailand and expelling large numbers of people from Viet Nam.

The joint communique issued by the conference said, "Any further escalation of the fighting in Kampuchea or any incursion of any foreign forces into Thailand would directly affect the security of the ASEAN member states, and would endanger peace and security of the whole region." In view of this, the foreign ministers urged Viet Nam to withdraw its troops immediately from the Thai-Kampuchean border and effect a total withdrawal from Kampuchean territory and let the Kampuchean people solve their own problems without any outside interference. The communique also demanded that Viet Nam stop its mass export of refugees. These reflect the just demands of the people of Southeast Asia for opposing the Vietnamese policy of aggression and expansion.

The success of this conference proved that the ASEAN nations are alert to Hanoi's regional hegemonism and are not going to be deceived by its honeyed words. They have also come to see that the Southeast Asian countries and people must not show any signs of weakness before the threats of the Vietnamese aggressors, but must

unite as one and stand up to their common enemy.

It is most heartening to see that the conference pledged firm support for Thailand against foreign aggression. This is illustrative of the participating countries' determination to unite to resist aggression.

TOKYO

Seven-Nation Summit

The focus of the summit of the seven Western heads of state held in Tokyo on June 28 and 29 was on energy, so it was also called an "energy summit" or "oil summit."

The Tokyo Declaration issued by the conference pointed out the gravity of the problem and solutions. It noted that the days when one or several countries could do as it or they pleased are now a thing of the past, that the dialogue with the oil-producing countries must be strengthened, the developing countries must be taken into particular account, and that efforts should be made to conserve the world's limited energy sources. These, to a degree, must be affirmed.

But the innate defects of the capitalist system dim the long-term strategic perspective of certain statesmen. Although the participants reached agreement and made certain compromises, their various views were more or less also written into the declaration. It can be seen from the Japanese newspapers that certain limited interests of the conferees are clouding their longer-range, wider international political vision.

The Tokyo Declaration touched on promoting a dialogue with countries of the third world

and giving them more assistance, but these were never seriously discussed. This is incommensurate with the important role played by the third world countries in international affairs and with the way the Western countries depend on their trade with them. Third world countries account for 43.3 per cent of the United States' total foreign trade and 52.3 per cent of Japan's. Given the inherent limitations of the capitalist system, no "dramatic fruits" could be expected from the conference, and this proves it.

The salient feature of this conference was the adoption of the very significant Special Statement, which pointed out that the plight of the refugees from Viet Nam, Laos and Kampuchea constitutes a threat to the peace and security of Southeast Asia and demanded that Viet Nam and other Indochinese countries take urgent and effective measures to bring about an immediate cessation of the exodus of refugees. The statement also called on the U.N. Secretary-General to convene at an early date a conference on the Indochinese refugee problem. Signatories to the statement expressed full support for and readiness to participate in such a conference. Since 1974, the dominant issue at conferences of Western heads of state has always been economic. The issuance of a Special Statement this time was unprecedented.

MADRID

Spanish Workers' Party Founded

On July 1 in Madrid a congress was convened to merge the Spanish Workers' Revolu-

tionary Organization and the Labour Party of Spain into the Spanish Workers' Party. Two thousand delegates from all over the country attended.

The congress elected 90 full and 10 alternate members to the central committee, which in turn elected a 28-member executive committee with a secretariat of four members, including Jose Sanroma, former general secretary of the Spanish Workers' Revolutionary Organization, and Eladio Garcia, former general secretary of the Spanish Labour Party.

The Party Constitution adopted at the congress stipulates: "The ideological basis of the Spanish Workers' Party is Marxism-Leninism enriched with the contributions of universal significance as made by Mao Zedong. As a class party, the Spanish Workers' Party will lead the working class and the masses to liberation from all exploitation and oppression and to

the building of socialism through the dictatorship of the proletariat till the abolition of all classes and the establishment of a communist society."

Referring to the Party's international policy, the Constitution says that it will "follow the theory of the three worlds. . . . Link the struggle of the Spanish working class and people with that being waged by the world proletariat and the oppressed nations and people at an international level against the two superpowers, the United States and the Soviet Union, and against hegemonism and imperialism."

AZANIA

Sibeko's Funeral

The Pan-Africanist Congress (P.A.C.) on July 1 held a funeral service in Gaborone, capital of Botswana, for the late David Sibeko, member of its Presidential Council who died on June

12. Among the nearly 1,000 African people attending the service were Vusumzi Make, Chairman of the P.A.C. Presidential Council and representatives from various parts of the world.

As P.A.C. director for foreign affairs, Sibeko was for a long time P.A.C. observer-representative at the United Nations. Sibeko was one of the three members appointed by the P.A.C. to the Presidential Council. He was recalled to Dar es Salaam last May after Chairman of the P.A.C. Presidential Council Potlako Leballo resigned on medical ground. Sibeko was shot in the head on June 11 in Dar es Salaam.

Speaking at the funeral, Chairman Vusumzi Make expressed determination to strengthen P.A.C. unity and intensify the armed struggle for the freedom of Azania.

(Continued from p. 26.)

political, economic and security trouble which other Southeast Asian countries have to face because of the flood of refugees expelled by Hanoi from Indochina. This step of Hanoi also fits in with the Kremlin's strategy of making Viet Nam a bridgehead for its southward drive into Southeast Asia and the West Pacific. This is why officials and the propaganda machine in Moscow have been so energetically applauding Hanoi's criminal exporting of refugees.

Effective Measures Must Be Taken

Facts have already proved and will further prove that in dealing with the Vietnamese authorities whose dream is to dominate Southeast Asia, counselling them to change their aggressive, expansionist and refugee-exporting policy just will not work. Only when the whole world joins hands and takes effective actions against them in every field, will it be possible to compel them to exercise restraint and make them see that they will not act with impunity if they go on doing just as they please at the expense of their neighbours.

The Chinese people have the deepest sympathy for and are very concerned about the plight of the refugees. Despite its own difficulties, China has done its best to settle more than 230,000 refugees. It supports the just actions of the countries which have shown solicitude for the refugees in deep distress and are striving to resettle them. It supports the stand taken by the five ASEAN foreign ministers at their recent conference. It supports the convening of an international conference by the United Nations Secretary-General to study the various aspects of the refugee problem and ways and means to solving it. The Chinese people believe that it is imperative for all nations and people who uphold justice to make concerted efforts to stop Hanoi from pursuing its policy of aggression and expansion and exporting refugees. This will relieve its neighbouring countries of the growing pressure and burden it is putting on them and contribute to peace and tranquillity in Southeast Asia.

(July 7, subheads are ours.)

• Railway Across Big Salt Lake

Track laying was completed at the end of June on a 32-kilometre section of the Qinghai-Tibet Railway over Qarhan Salt Lake, China's biggest salt pan. The railway is now 60 kilometres to Golmud, a county town and terminal for the first phase of construction.

This salt lake in the southern part of Qinghai's Qaidam Basin covers 5,856 square kilometres, measuring 168 kilometres from east to west. The hard crust of the lake was formed 300,000-400,000 years ago due to the high temperatures and evaporation rate in the locality. Underneath the 0.5-metre-thick crust is a 10-20 metre layer of crystallized salt and semi-crystallized brine.

The road bed is of blocks of rock salt quarried on the spot. Pressure tests show that these bear up to pressure better than bed of earth.

The first phase of the project which is scheduled to be finished before National Day (October 1) this year runs west 834 kilometres from Xining, capital of Qinghai Province.

Plans are being made to build a large potassium chloride plant in this area to exploit the vast quantities of potassium, magnesium and salt and an estimated 60,000 million tons of chlorides.

• Workers' Sanatoria Reopened

More than 60 workers' sanatoria and rest homes run by provincial and municipal trade union councils have reopened after being closed for a dozen years.

They are mostly in scenic resorts with a good climate, such as Beidaihe by the Bohai Sea, the Western Hills in Beijing, Taihu Lake in Jiangsu Province, West Lake in Hangzhou, coastal

Dalian in Liaoning Province and Lintong in Shaanxi Province.

Beidaihe is a fine summer resort from June to September. Vacations are being arranged there for workers by the trade union councils of Beijing and Hebei Province together with the coal, power, water conservancy, transport and communications and geological departments. The first group of 200 model workers and advanced workers from Beijing are there now on a two-week vacation with full pay.

The vacationers only pay for part of their food and one-third their travel expenses. The rest is subsidized by the government in accordance with state labour insurance regulations.

Most sanatoria are open all year round. The majority of the convalescents are veteran workers suffering from arthritis, gastric diseases and other chronic diseases as well as occupational diseases. They stay there for three to six months with full pay and free medical treatment, and their food is subsidized by the government.

Since the founding of New China, workers' sanatoria and rest homes have been set up in many places, but during the Cultural Revolution, these welfare facilities were criticized by the gang of four as excessive material benefits and many of them were forcibly closed.

There are, in addition, 800 small sanatoria and rest homes run by large and medium-sized mines or factories.



Qinghai-Tibet Railway under construction.

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